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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------|------------------|
| 10/731,992  | 12/08/2003  | Craig L. Ogg         | PSTA0003/MRK          | 5866             |
| 29524 7590 04/16/2007<br>KHORSANDI PATENT LAW GROUP, A.L.C.<br>140 S. LAKE., SUITE 312<br>PASADENA, CA 91101-4710 |             |                      | EXAMINER<br>WU, RUTAO |                  |
|   |             |                      | ART UNIT              | PAPER NUMBER     |
|   |             |                      | 3628                  |                  |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE  | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS                               | 04/16/2007 | PAPER         |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

|                              |                        |  |                     |  |
|------------------------------|------------------------|--|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> |  | <b>Applicant(s)</b> |  |
|                              | 10/731,992             |  | OGG ET AL.          |  |
|                              | <b>Examiner</b>        |  | <b>Art Unit</b>     |  |
|                              | Rob Wu                 |  | 3628                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/08/2003</u>  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. Claims 9, 11 and 12 recite the limitation "the special purpose label arrangement set" in various lines. There is insufficient antecedent basis for this limitation in the claim.
3. Claim 10 recites the limitation "the second barcode label" in line 3. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 2, 5, 7, 8 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 6,010,156 to Block.

#### **Referring to claim 2:**

A computer printer printable self-adhesive label set for use with a computer postage system, the label set comprising:

A postage indicia label, wherein the postage indicia label is adapted to be printed with postage indicia; (Fig 3A) and

A first barcode label, wherein the first barcode label is adapted to be printed with a first barcode representing one of mailing identification information or delivery address information. (Fig 3A; col 5: lines 8-9)

**Referring to claim 5:**

A sheet of a plurality of computer printer printable self-adhesive label sets for use with a computer postage system, the sheet comprising:

At least one self-adhesive label arrangement set, wherein each label arrangement set comprising:

A postage indicia label, wherein the postage indicia label is adapted to be printed with postage indicia; (Fig 3A) and

A first barcode label, wherein the first barcode label is adapted to be printed with a first barcode representing one of mailing identification information or delivery address information. (Fig 3A; col 5: lines 8-9)

**Referring to claim 7:**

A method for printing postage indicia and mail piece tracking information onto a single sheet of self-adhesive labels containing at least one self-adhesive label arrangement set, the method comprising:

Directing a computer postage system to print postage indicia on a postage indicia label of one of the self adhesive label arrangements sets; (Fig 3A; col 5: lines 8-9) and

Directing the computer postage system to print a first barcode representing one of mail piece tracking information or delivery address information on a first barcode label of the self-adhesive label arrangement set. (Fig 3A; col 5: lines 8-9)

**Referring to claim 8:**

The method of claim 7, wherein the first barcode label is adapted to be printed with a first barcode representing the one of mail piece tracking information or delivery address information. (Fig 3A; col 5: lines 8-9)

**Referring to claim 13:**

A method for printing postage indicia and mailing tracking information onto a label arrangement set on a single sheet of self-adhesive labels, wherein each label arrangement set comprises a plurality of labels, the method comprising:

Directing a computer postage system to print postage indicia on a first label of the label arrangement set wherein the first label of the label arrangement set is adapted to be printed with postage indicia; (Fig 3A; col 5: lines 10-15)

Directing the computer postage system to print a first graphic symbology on a second label of the label arrangement set, wherein the first graphic symbology represents one of mailing tracking information or delivery address information and wherein the second label of the label arrangement set is adapted to be printed with at least one graphic symbology representing one of mailing identification information or delivery address information. (Fig 3A; col 5: lines 8-9)

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3, 4, 6, 10-12, 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat No. 6,010,156 to Block in view of U.S. Pub No.2003/0046103 to Amato et al.

**Referring to claim 1:**

A computer printer printable self-adhesive label set for use with a computer postage system, the label set comprising:

A postage indicia label, wherein the postage indicia label is adapted to be printed with postage indicia; (Fig 3A) and

An addressee label, wherein the addressee label is adapted to be printed with a delivery address (Fig 3A), Block does not expressly disclose a first barcode representing mailing identification information. Amato et al disclose a mailpiece with both the PLANET™ code label and the POSTNET code label. [0009], [0015] (Fig 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print bar code labels for both the mailing identification information and delivery address information. Block provides specific motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

and a second barcode representing delivery address information. (Fig 3A; Col 5: lines 8-9)

**Referring to claim 3:**

Block discloses a barcode label with delivery address information. (Fig 3A; col 5: lines 8-9) Block does not expressly disclose a second barcode label wherein the second barcode label is adapted to be printed with a second barcode representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailpiece with both the PLANET™ code label and the POSTNET code label. [0009], [0015] (Fig 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print bar code labels for both the mailing identification information and delivery address information. Block provides specific motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

**Referring to claim 4:**

A sheet of a plurality of computer printable self-adhesive label sets for use with a computer postage system, the sheet comprising:

At least one self-adhesive label arrangement set, wherein each label arrangement set comprising:

A postage indicia label, wherein the postage indicia label is adapted to be printed with postage indicia; (Fig 3A)

An addressee label, wherein the addressee label is adapted to be printed with a delivery address (Fig 3A), Block does not expressly disclose a first barcode representing mailing identification information. Amato et al disclose a mailpiece with both the PLANET™ code label and the POSTNET code label. [0009], [0015] (Fig 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print bar code labels for both the mailing identification information and delivery address information. Block provides specific motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

and a second barcode representing delivery address information. (Fig 3A; Col 5: lines 8-9)

**Referring to claim 6:**

Block discloses a barcode label with delivery address information. (Fig 3A; col 5: lines 8-9) Block does not expressly disclose a second barcode label wherein the second barcode label is adapted to be printed with a second barcode representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailpiece with both the PLANET™ code label and the POSTNET code label. [0009], [0015] (Fig 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print bar code labels for both the mailing identification information and delivery address information. Block provides specific



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motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

**Referring to claim 10:**

Block discloses printing a barcode label representing delivery address information. (Fig 3A; col 5: lines 8-9)

Block does not expressly disclose a second barcode label wherein the second barcode label is adapted to be printed with a second barcode representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailpiece with both the PLANET™ code label and the POSTNET code label. [0009], [0015] (Fig 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print bar code labels for both the mailing identification information and delivery address information. Block provides specific motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

**Referring to claim 11:**

The method of Claim 7, the method further comprising:

Block discloses printing a barcode label representing delivery address information. (Fig 3A; col 5: lines 8-9)

Block does not expressly disclose printing a second barcode on the first barcode label representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailing label containing both the PLANET™ code label and the POSTNET code label. [0009]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second barcode on the first barcode label representing the other of mailing identification information or delivery address information. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

Directing the computer postage system to print a delivery address on the first barcode label of the special purpose label arrangement set. (Fig 3A)

**Referring to claim 12:**

Block discloses printing a barcode label representing delivery address and a barcode representing delivery address information. (Fig 3A; col 5: lines 8-9)

Block does not expressly disclose printing a second barcode on the first barcode label representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailing label containing both the PLANET™ code label and the POSTNET code label. [0009]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second barcode on the first barcode label representing the other of mailing identification information or delivery address

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information. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

**Referring to claim 14:**

Block does not expressly disclose printing a second barcode on a barcode label representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailing label containing both the PLANET™ code label and the POSTNET code label. [0009]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second barcode on the first barcode label representing the other of mailing identification information or delivery address information. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

**Referring to claim 15:**

The method of claim 13, said method further comprising:

Directing the computer postage system to print a set of address information on one of the labels of the label arrangement set; (Fig 3A) and

Block does not expressly disclose printing a second barcode on a barcode label representing the other of mailing identification information or delivery address information.

Amato et al disclose a mailing label containing both the PLANET™ code label and the POSTNET code label. [0009]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second barcode on the first barcode label representing the other of mailing identification information or delivery address information. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

**Referring to claim 16:**

The method of claim 14,

Block discloses printing a second barcode label representing delivery address information. (Fig 3A; col 5: lines 8-9)

Block does not expressly disclose a third barcode label wherein the third barcode label is adapted to be printed with a second symbology.

Amato et al disclose a mailpiece with both the PLANET™ code label and the POSTNET code label. [0009], [0015] (Fig 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print bar code labels for both the mailing

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identification information and delivery address information. Block provides specific motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

**Referring to claim 17:**

The method of claim 14,

Block does not expressly disclose printing barcode label with two graphic symbologies.

Amato et al disclose a mailing label containing both the PLANET™ code label and the POSTNET code label. [0009]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second barcode on one barcode label representing the other of mailing identification information or delivery address information. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

**Referring to claim 18:**

The method of claim 15,

Block disclose printing the address information and the delivery address information barcode on the label. (Fig 3A)

Block does not expressly disclose printing barcode label with two graphic symbologies.

Amato et al disclose a mailing label containing both the PLANET™ code label and the POSTNET code label. [0009]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second barcode on one barcode label representing the other of mailing identification information or delivery address information. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

**Referring to claim 19:**

The method of Claim 13 wherein the first graphic symbology is a one-dimensional barcode. (Fig 3A)

**Referring to claim 20:**

Block does not expressly state that the second graphic symbology is a one-dimensional barcodes.

However, from Amato et al's disclosure (Fig1) it is obvious that the second graphic symbology is a one-dimension barcode. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to use a one-dimensional barcode for the second graphic symbology. Block provides specific motivation by disclosing that each label within the field may also be customized and sized to accommodate the desired use, and various strips with variously formatted layouts may be made commercially available. (col 3: lines 20-24)

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Block in view of U.S. Pub No. 2003/0217017 to Willoughby et al.

**Referring to claim 9:**

Block does not expressly disclose printing a second barcode representing the mail piece tracking information on a second barcode label.

Willoughby et al disclose a label with a postage barcode in the top portion, address and label information in the middle portion and a delivery confirmation barcode in the bottom portion. [0037] (Fig 3)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Block to print a second label comprising the delivery confirmation barcode. Block provides specific motivation by disclosing the desire to use multiple labels to maximize the convenience and utility to the end user. (col 3: lines 35-36)

***Conclusion***

9. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of

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the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat No. 6,722,563 to Johnson et al.

U.S. Pat No. 6594374 to Beckstrom et al.

U.S. Pat No. 6296404 to Pierce et al.

U.S. Pat No. 6244763 to Miller.

U.S. Pat No. 5573277 to Petkovsek.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rob Wu whose telephone number is (571)272-3136.

The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rw



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